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PATENT
Docket No. 110.01290102IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Daniel J. O'SULLIVAN)
Serial No.: 10/822,533)
Filed: April 14, 2004)
For: BIFIDOBACTERIA AND SIDEROPHORES PRODUCED THEREBY AND
METHODS OF USE

Group Art Unit: 1651
Examiner: Deborah K. Ware

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

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X Small Entity Status is entitled to be asserted in the above-identified application.

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By: David L. Provence
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February 23, 2006
Date

Signature: Sue Dombroske
Name: Sue Dombroske

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PATENT
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Applicant(s): Daniel J. O'SULLIVAN) Group Art Unit: 1651
Serial No.: 10/822,533) Examiner: Deborah K. Ware
Filed: April 14, 2004)
For: BIFIDOBACTERIA AND SIDEROPHORES PRODUCED THEREBY AND
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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed January 24, 2006, Applicant elects, with traverse, Group XII (claims 48-58), drawn to a method for administering a live microbial feed. Applicant's Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications. Applicant respectfully requests reconsideration of the restrictions in this case and submits that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner.

The Examiner is requested to note that claims 1-40 were canceled at the time of filing the present application. The Examiner is further requested to note that the present application was filed as a divisional application, and should now be treated as a continuation application. At the time of filing, the present application included claims 1-40, which are identical to claims 1-40 in the parent application, and claims 41-58, which were not present in the parent application. In view of the restriction of claims 41-58 into inventions that are considered distinct from the inventions of claims 1-40, the present application should be considered a continuation application.

Response to Restriction Requirement

Applicant(s): Daniel J. O'SULLIVAN

Serial No.: 10/822,533

Confirmation No.: 3326

Filed: April 14, 2004

For: BIFIDOBACTERIA AND SIDEROPHORES PRODUCED THEREBY AND METHODS OF USE

Page 2 of 2

The Examiner is invited to contact Applicant's Representatives at the telephone number listed below if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23 day of February, 2006, at 3:35pm Central Time).

Sue Dombroske
Sue Dombroske

Respectfully submitted

By

Mueting, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Phone: (612)305-1220

Facsimile: (612)305-1228

Customer Number 26813

February 23, 2006

Date

DLP/skd

By: David L. Provence

David L. Provence

Reg. No. 43,022

Direct Dial (612)305-1005